

IN RE: PETITION FOR ADMINISTRATIVE
ZONING VARIANCE
E/S Compass Road, 200 ft. S
from c/1 Fuselage Avenue
9 Compass Road
15th Election District
15th Councilmanic District

• BEFORE THE
• ZONING COMMISSIONER
• OF BALTIMORE COUNTY
• Case No. 94-107-A

Alice Trent
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Alice Trent for that property known as 9 Compass Road in the Victory Villa subdivision of Baltimore County. The Petitioner/-property owner herein seeks a variance from Sections 1802.3 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 10 ft., in lieu of the required 22.5 ft., for a deck, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of October, 1993 that the Petition for a Zoning Variance from Sections 1802.3 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 10 ft., in lieu of the required 22.5 ft., for a deck, in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

JAMES E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mm

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-1386

October 14, 1993

Ms. Alice Trent
9 Compass Road
Baltimore, Maryland 21220

RE: Petition for Administrative Variance
Case No. 94-107-A
9 Compass Road

Dear Ms. Trent:

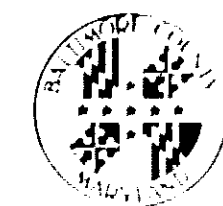
Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-1191.

Very truly yours,

JAMES E. SCHMIDT
Zoning Commissioner

LES:mm
encl
cc: Mr. Vincent Delair
709 Eastern Blvd.
Baltimore, Maryland 21220



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 9 Compass Rd., which is presently zoned R-1

This Petition shall be filed with the Office of Zoning Administration & Development Management
The following is a copy of the Petition for Administrative Variance from the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 10 ft., in lieu of the required 22.5 ft., for a deck, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

1802.3, 301.1, 1954, 301.1.A To permit a rear yard setback of 10 ft. in lieu of the required 22.5 ft.

House is positioned on lot as to where the rear setbacks cannot be met with the new deck added to house.

Property is to be posted and advertised as provided by Zoning Regulations.
For as long as the proposed variance is in effect, the Petitioner shall be responsible for maintaining the property in accordance with the requirements of the Baltimore County Zoning Regulations (B.C.Z.R.) and the Baltimore County Code.

TO: Zoning Commissioner
FROM: Alice Trent
SUBJECT: Petition for Administrative Variance
Case No. 94-107-A
9 Compass Rd., Baltimore, MD 21220
Vincent Delair
709 Eastern Blvd., Baltimore, MD 21220

A Petition for Administrative Variance shall be filed with the Office of Zoning Administration & Development Management
The following is a copy of the Petition for Administrative Variance from the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 10 ft., in lieu of the required 22.5 ft., for a deck, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

RECEIVED BY: R.T. DATE: 9/17/93
FORWARDED RECEIVED DATE: 9/26/93

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) believe competent to testify therein in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does do presently reside at 9 Compass Rd.,

Balto, Md. 21220
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (include hardship or practice affidavit)

House is positioned on lot as to where the rear setbacks cannot be met with the new deck added to house.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Alice Trent
Type or print name

STATE OF MARYLAND, COUNTY OF BALTIMORE, do hereby
THEREBY CERTIFY, this 30th day of August, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Alice Trent

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal
August 30, 1993
Notary Public

My Commission Expires April 24, 1993

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 9 Compass Rd., 21220
(address)
Election District 15 Councilmanic District 6

Beginning at a point on the East side of
(north, south, east or west)

Compass Rd. which is 100 Ft.
(street on which property fronts) (number of feet of right-of-way width)

wide at a distance of 220 Ft. South of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Fuselage Ave.
(name of street)

which is 60 Ft. wide. *Being lot # 264
(number of feet of right-of-way width)

Block # 22, Section # 2 in the subdivision of
Victory Villa as recorded in Baltimore County Plat
(name of subdivision)

Block # 22, Folio # 109, containing
5500 Ft. 13 acre
(square feet and acres)

ITEM # 110

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the lot, block and subdivision description as shown, instead state: "As recorded in Deed Liber #, Folio # and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 22' 03" E. 87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15.74 Date of Posting 9/17/93

Posted for: Alice Trent

Petitioner: Alice Trent

Location of property: 9 Compass Rd., 113, 200 ft. S. of Fuselage Ave.

Location of Sign: 9 Compass Rd., 113, 200 ft. S. of Fuselage Ave.

Remarks:

Posted by: M. Schmitt Date of return: 9/24/93

Number of Signs: 1



Baltimore County Government
Zoning Administration & Development Management
113 West Chesapeake Avenue
Towson, Maryland 21204

Date 9-7-93

9 COMPASS RD.
BALTO. MD 21220

AD - VARIANCE - \$ 50.00
CS - SIGN - \$ 25.00
TOTAL - \$ 75.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

113 West Chesapeake Avenue
Towson, MD 21204

(410) 887-1383

October 4, 1993

Ms. Alice Trent
9 Compass Road
Baltimore, Maryland 21220

RE: Case No. 94-107-A, from No. 110
Petitioner: Alice Trent
Petition for Administrative Variance

Dear Ms. Trent:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of zoning problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 7, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



94-107-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
HARTISBURG, W. V. 25401

SCALE	LOCATION	SHEET
1" = 100'	MIDDLE RIVER	1
DATE OF PHOTOGRAPHY		
JANUARY 1986		